



**MARK L.  
DOLIN**  
FOUNDING PARTNER



**Farmington Hills, MI**  
P: 248-324-2620  
F: 248-324-2610  
mldolin@kopkalaw.com

## Practice Areas

- Appellate Work
- Automobile Accident Defense
- Bad Faith
- Dram Shop Litigation
- Jail and Prison Liability
- PIP
- Products Liability
- Railroads, Warehouse, and Freight Broker Liability
- Transportation Defense
- UM/UIM
- Wrongful Death Defense

Mark L. Dolin specializes in handling a multitude of insurance defense matters including insurance coverage litigation, arson defense, personal injury, retail and restaurant, professional liability, including legal and medical malpractice, insurance agent error and omission defense, catastrophic claims, municipal claims, Michigan No-Fault, trucking liability, construction, employment law and automobile liability cases. He has extensive trial experience in personal injury, No-Fault insurance claims and professional negligence-related areas and has tried cases to verdict in both state and federal courts in Michigan and Illinois. Mark's unique approach to successfully handling these claims includes a proactive and strategic skill set resulting in favorable resolutions and often dismissals.

## Awards and Accolades

- Super Lawyer (2011)

## Memberships

- Claims & Litigation Management Alliance (member, Professional Liability Committee)
- Defense Research Institute
- Insurance Institute of Michigan
- Insurance Research Institute
- Michigan State Bar Michigan

- Providence Charitable Society

## **Presentations and Publications**

Mark presents to national and regional organizations on issues pertaining to Michigan No-Fault, professional liability, fraud litigation, claims management and claims resolution. He also regularly provides educational seminars for claims adjusters relating to current trends, depositions and dispositive motions.

- “Emerging Litigation Trends in Michigan No-Fault,” CMAA Conference (November 2019)
- “MCL 500.3135: The Truth is Not That Complicated in Bodily Injury Cases,” Insurance Alliance of Michigan Conference (September 2019)
- “In the Trenches with Covenant, and the Right to File Suit,” Insurance Alliance of Michigan Conference (September 2018)
- “Covenant v. State Farm,” Insurance Alliance of Michigan Conference (September 2017)
- “Insurance Fraud,” Insurance Institute of Michigan Conference (September 2016)
- “Fraudulent Claims,” National Claims & Litigation Management Alliance Seminar (April 2016)
- “Attendant Care Claims in the No-Fault Act,” Michigan Chapter of IASIU (October 2015)
- “Insurance Fraud,” Insurance Institute of Michigan Conference (September 2015)
- “Relationship Between Internal and External Staff Council,” Magna Conference (May 2015)
- “McCormick v. Carrier Webinar, The Unraveling of a “Threshold,” KPD Webinar (January 2011)
- “Understanding McCormick v. Carrier,” KPD Legal Advisory (August 2010)

## **Trial and Case Highlights**

- In May 2019, Mark successfully tried a third-party case arising out of a motor vehicle accident wherein the plaintiff’s vehicle was reported to have sustained “minor damages” and there were no injuries reported at the scene. The plaintiff claimed multiple injuries arising out of the motor vehicle accident and even underwent a shoulder surgery. At trial, Mark identified a plethora of false claims and inconsistencies, shredding the plaintiff’s credibility and convincing the jury that plaintiff sustained no injuries. When plaintiff’s chiropractor was on the witness stand, Mark confronted him with evidence of these contradictions to a degree that reduced him to tears. On the seventh day of trial, the jury deliberated for less than two hours and rendered a defense verdict of no injury.
- Recently Mark tried six successful cases in Michigan with potential exposures of \$500,000, \$1.5 million, \$19 million, \$900,000 and \$400,000. The first matter resulted in a directed verdict on the sixth day of trial; the second matter resulted in a unanimous jury defense verdict. The third trial involved complex claims including

an alleged traumatic brain injury and permanent disability. Mark convinced each and every juror that the accident was a fraudulently staged event resulting in a no cause of action. Mark also secured a unanimous defense verdict wherein he established that Plaintiff's claim, that she was stepping into a pickup truck when she sustained bi-lateral ankle fractures, was simply false. Mark tried a high exposure wrongful death case with \$25 million of insurance coverage. The jury was persuaded that Plaintiff's decedent met his demise, not due to defects on the premises, but rather foul play. Mark had an additional directed verdict wherein the Trial Court held immediately after Mark's cross examination of a party opponent, that the uninsured motorist policy at issue did not apply given the admissions that were secured from this adverse party.

- On March 23, 2018, Mark convinced seven out of seven jurors to render a unanimous defense verdict on a complex matter involving an alleged auto incident and thousands of hours of attendant care claims. Plaintiffs' counsel argued their case for seven days, while the KPD team presented their defense in half a day. The trial wrapped up after one hour of deliberation, where the seven jurors unanimously returned a defense verdict of no cause.
- A number of Mark's successful trial victories have appeared in *Michigan Lawyers Weekly*. The success of the auto negligence trial can be attributed to Mark's use of a sudden emergency argument (granted on emergency motion from the Michigan Court of Appeals) and his demonstration that the No-Fault carrier was misled by its insured's fraudulent claims.
- Mark has been and continues to be the firm's resident expert on the Michigan Supreme Court decision of *McCormick v. Carrier*. Mark, together with partner Robert Abramson, successfully argued two of the first threshold motions in Michigan after the *McCormick* decision. Since then, he has successfully authored and argued many more threshold motions.
- Mark secured Summary Disposition through a threshold motion from a Judge who is notorious for finding a question of fact. The action plan included a finite attention to detail via video surveillance, employment records, medical records and experts which served to persuade the Court that Dismissal was proper.

## Appellate Opinions

Mark continues to handle complex Michigan appellate claims.

- Mark was successful in upholding the Michigan Trial Court's decision in *Porter v. State Farm*. This case involved a complex mix of statutory definitions combined with the Supreme Court's interpretation and application of the employer furnished vehicle No-Fault exception. The matter resulted in a favorable resolution without any benefits paid.

## Admissions

- Michigan

- Illinois
- U.S. District Court for the Eastern District of Michigan
- U.S. District Court for the Northern District of Illinois

## **Education**

- University of Toledo College of Law, J.D., 1991
- University of Toledo, B.S., 1987